

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 61504

Nelly Fakhoury  
Saleh Hani Fakhoury  
110 Via Floresta Drive  
Boca Raton Florida 33487

11201 Greenspring Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 4, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-312, failure to remove all fire debris, materials, etc. from residential property known as 11201 Greenspring Avenue, 21093.

On October 19, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Lavette Street issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 27, 2009 for removal of trash and debris, and cut and remove tall grass and weeds. Another Correction Notice was issued on August 24, 2009 for removal of trash and debris, and sent to Respondents at the address in Florida listed with Maryland Department of Assessments and Taxation. This Citation was issued on October 19, 2009.

B. Notes in the file state that the house at this location was destroyed by fire in March 2009. The burn site is encircled by a chain link fence. Debris from the burned house has not been removed from the site. Photographs in the file show significant quantities of junk and debris from the demolished house, including piles of broken debris and damaged kitchen cabinets. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Respondents have failed to respond to the County's notices. If Respondents do not correct the violation within the time provided below, they will be subject to additional Citation for the continued violations, and the County will be authorized to remove the impermissible junk and debris, at Respondents' expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected by December 7, 2009.

IT IS FURTHER ORDERED that after December 7, 2009, the County may enter the property for the purpose of removing all junk, trash, and debris, at Respondents' expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 12<sup>th</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer